

Message Text

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PAGE 01 SANTIA 01671 102207Z

ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
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FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 8420

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FOR D, ARA & L ONLY

E.O. 11652: N/A

TAGS: OGEN SHUM PGOV CI

SUBJECT: LETELIER/MOFFITT CASE: NAMING OF CHILEAN LAWYER

1. EMBASSY DELIVERED NOTE MORNING OF MARCH 10 INFORMING FOREIGN MINISTER CARVAJAL THAT THE USG HAS NAMED ALFREDO ETCHEBERRY AS ITS LEGAL REPRESENTATIVE IN CHILE FOR MATTERS RELATING TO THE LETELIER/MOFFITT INVESTIGATION, AND ASKING THAT HE INFORM THE SUPREME COURT OF CHILE. TEXT FOLLOWS:

QUOTE:

NOTE NO. 20 SANTIAGO, MARCH 10, 1978

EXCELLENCY:

IN ACCORDANCE WITH THE PRACTICES GOVERNING THE HAND-
ING OF LETTERS ROGATORY BETWEEN CHILE AND THE UNITED STATES
OF AMERICA, I HAVE THE HONOR TO INFORM YOUR EXCELLENCY:

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THAT WITH REGARD TO THE LETTERS ROGATORY ADDRESSED TO THE CHILEAN COURTS BY THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, IN RE VIOLATIONS OF TITLE 18, UNITED STATES CODE, PAR. 1116, ND TITLE 22, DISTRICT OF COLUMBIA CODE, PAR. 2401, AND IN ACCORDANCE WITH THE PROVISIONS OF ARTICLES 76 OF THE CHILEAN CODE OF CIVIL PROCEDURE AND 43 OF THE CODE OF CRIMINAL PROCEDURE, THE

GOVERNMENT OF THE UNITED STATES OF AMERICA APPOINTS AS JUDICIAL ATTORNEY AND COUNSEL IN THOSE PROCEEDINGS MR. ALFREDO ETCHEBERRY ORTHUSTEGUY, ATTORNEY AT LAW, REGISTERED AT ROLL NO. 2 OF THE CHILEAN BAR ASSOCIATION UNDER THE NUMBER 1747, WITH LICENSE NO. 924 BEFORE THE SUPREME COURT, DOMICILED IN SANTIAGO, 162 BANDERA, 4TH FLOOR, OFFICE 41.

MR. ETCHEBERRY WILL ACT AS ATTORNEY AND COUNSEL ON BEHALF OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND OF ALL THE PUBLIC OFFICERS AND AGENCIES THAT DEPEND THEREOF, AND PARTICULARLY, IN THE NAME OF THE ASSISTANT UNITED STATES ATTORNEY MR. EUGENE M. PROPPER, FEDERAL PROSECUTOR ASSIGNED THIS CASE, IN ALL THE PROCEEDINGS, ACTIONS, PETITIONS AND APPEALS RELATED WITH THE CARRYING OUT OF THE REQUESTS INCLUDE IN THE LETTERS ROGATORY MENTIONED ABOVE, BEFORE THE CHILEAN SUPREME COURT AS WELL AS BEFORE ANY OTHER LOWER COURT OR JUDICIAL AUTHORITY IN CHILE. IN THE PERFORMANCE OF HIS COMMISSION, MR. ETCHEBERRY WILL BE VESTED WITH ALL THE RIGHTS AND PRIVILEGES GRANTED TO COUNSEL AND JUDICIAL ATTORNEYS IN THE CHILEAN AND US LAW, AS WELL AS IN THE INTERNATIONAL TREATIES AND PRACTICES IN FORCE.

I REQUEST THAT YOUR EXCELLENCY SEND THIS NOTE TO THE SUPREME COURT SO THAT HIGH COURT MAY MAKE RECORD OF LIMITED OFFICIAL USE

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THIS APPOINTMENT AND IN ORDER THAT IT MAY INSTRUCT THE COURTS UNDER ITS JURISDICTION TO GRANT MR. ETCHEBERRY THE RIGHTS AND PRIVILEGES THEREUNTO PERTAINING.

ACCEPT, EXCELLENCY, THE RENEWED ASSURANCES OF MY HIGHEST CONSIDERATION.

/S/ GEORGE W. LANDAU

HIS EXCELLENCY

PATRICIO CARVAJAL PRADO

MINISTER OF FOREIGN AFFAIRS

SANTIAGO

END QUOTE

2. EMBASSY WILL ISSUE FOLLOWING PRESS RELEASE ON THIS SUBJECT LATER TODAY: THE GOVERNMENT OF THE UNITED STATES HAS APPOINTED ALFREDO ETCHEBERRY ORTHUSTEGUY AS JUDICIAL

ATTORNEY AND COUNSEL IN ALL PROCEEDINGS AND LEGAL MATTERS
ARISING FROM THE LETTERS ROGATORY ADDRESSED TO THE CHILEAN
COURTS BY THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA.

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Message Attributes

Automatic Decaptoning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PERSONAL REPRESENTATIVE, ATTORNEYS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 mar 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978SANTIA01671
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780108-0947
Format: TEL
From: SANTIAGO
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780382/aaaacril.tel
Line Count: 121
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 859dacc9-c288-dd11-92da-001cc4696bcc
Office: ACTION SS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: STADIS, ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: STADIS
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: STADIS, ONLY
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3372012
Secure: OPEN
Status: NATIVE
Subject: LETELIER/MOFFITT CASE: NAMING OF CHILEAN LAWYER
TAGS: OGEN, SHUM, PGOV, CI, (ETCHEBERRY, ALFREDO)
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/859dacc9-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014